

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT



Applicant: D. Kempf, et al.

Serial No.: 08/158,587

Filed: December 2, 1993

For: RETROVIRAL PROTEASE INHIBITING
COMPOUNDS

Case No.: 4681.US.P11

Date: April 11, 1994

Group Art Unit: 1203

Examiner: J. Fan

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the :

The Commissioner of Patents & Trademarks
Washington, D.C. 20231, on:

Date of Deposit:

Sharon M. Willis

DATE

PETITION FOR CORRECTION OF INVENTORSHIP
PURSUANT TO 37 C.F.R. 1.48(a)

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This petition, filed pursuant to 37 C.F.R. 1.48(a), requests that the inventorship in this application be corrected to include Arthur J. Cooper, 65 Wesley Avenue, Lake Villa, Illinois 60046, as a joint-inventor.

FACTS

On December 2, 1993, the above-noted application was filed with the USPTO with an unexecuted Declaration and Power of Attorney. Prior to filing the application, Applicants' agent, Dr. Steven R. Crowley, had determined that Dr. Dale J. Kempf, Dr. Daniel W. Norbeck, Dr. Hing L. Sham, Dr. Chen Zhao, Dr. Thomas J. Sowin, Daniel S. Reno, Dr. Anthony R. Haight and Arthur J. Cooper were the joint-inventors of the invention claimed in the application. On December 1, 1993, Dr. Crowley instructed his secretary to prepare the transmittal letter, the Information Disclosure Statement, the Declaration and Power of Attorney and the Assignment for this application so that the application could be filed on December 2, 1993. Dr. Crowley inadvertently omitted Arthur J. Cooper's name from the written list of joint-inventors used by his secretary to prepare the Declaration and Power of Attorney and the Assignment for the application.

During the period of time between filing the application and receipt of the Notice of Missing Parts - Signature Missing (December 17, 1993), Dr. Crowley became aware that Arthur J. Cooper had not been named as a joint-inventor when the application was filed. On January 6, 1994, Dr. Crowley informed Mr. Cooper that a mistake had been made in the preparation of the

original paperwork when the application was filed, the mistake would be corrected in the near future and Mr. Cooper would be asked to sign a Declaration and Power of Attorney and an Assignment at that later time. See the Declarations of Dr. Steven R. Crowley and Arthur J. Cooper submitted herewith.

The named joint-inventors (Dr. Dale J. Kempf, Dr. Daniel W. Norbeck, Dr. Hing L. Sham, Dr. Chen Zhao, Dr. Thomas J. Sowin, Daniel S. Reno, Dr. Anthony R. Haight) were unaware that Mr. Cooper's name had been inadvertently omitted from the Declaration and Power of Attorney and the Assignment. See the Declarations of Dr. Dale J. Kempf, Dr. Daniel W. Norbeck, Dr. Hing L. Sham, Dr. Chen Zhao, Dr. Thomas J. Sowin, Dr. Daniel S. Reno and Dr. Anthony R. Haight submitted herewith.

ARGUMENTS

In view of the facts set forth above, it is asserted that the failure to name Mr. Cooper as a joint-inventor when the application was originally filed on December 2, 1993 was an inadvertent mistake and done so without deceptive intent by any of the originally named joint-inventors and the agent who filed the application.

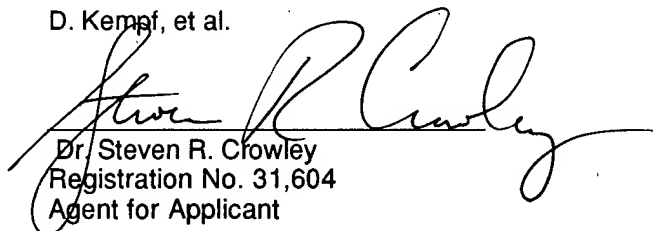
ACTION REQUESTED

In view of the above, it is respectfully requested that the inventorship in this application be corrected to include Arthur J. Cooper as a joint-inventor.

The Commissioner is hereby authorized to charge payment of any fees associated with this document pursuant to 37 C.F.R. 1.17(h) to Deposit Account No. 01-0025.

Respectfully submitted,

D. Kempf, et al.



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